

1 SENATE BILL NO. 65

2 INTRODUCED BY ROUSH

3 BY REQUEST OF THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING VETERANS' BENEFIT LAWS; REVISING
6 THE PROPERTY TAX ~~WAIVER~~ EXEMPTION, VEHICLE REGISTRATION FEE, AND SPECIAL LICENSE
7 PLATES PROVISIONS FOR ELIGIBLE VETERANS AND THEIR SURVIVING SPOUSES; ~~ELIMINATING~~
8 REVISING INCOME THRESHOLDS FOR THE VETERAN PROPERTY TAX ~~WAIVER~~ EXEMPTION;
9 AMENDING LANGUAGE RELATED TO DISABLED VETERANS ENTITLED TO RECEIVE COMPENSATION
10 FROM THE U.S. DEPARTMENT OF VETERANS AFFAIRS AT THE 100 PERCENT DISABILITY RATE;
11 CLARIFYING AND SIMPLIFYING PROVISIONS ON THE VEHICLE REGISTRATION FEE WAIVERS AND
12 SPECIAL LICENSE PLATE PROVISIONS AVAILABLE TO ELIGIBLE VETERANS AND THEIR SURVIVING
13 SPOUSES; EXTENDING VEHICLE REGISTRATION FEE WAIVERS TO THE SPOUSES OF VETERANS WHO
14 WERE KILLED WHILE ON ACTIVE DUTY OR WHO DIED AS A RESULT OF A SERVICE-CONNECTED
15 DISABILITY; CLARIFYING SPECIAL PARKING PRIVILEGES ASSOCIATED WITH DISABLED VETERANS;
16 AMENDING SECTIONS 15-1-121, 15-1-122, 15-6-211, 49-4-301, 49-4-302, 49-4-304, 61-3-313, 61-3-321,
17 61-3-332, 61-3-407, 61-3-426, 61-3-455, AND 61-3-560, MCA; REPEALING SECTIONS 61-3-452, 61-3-453,
18 61-3-454, AND 61-3-457, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

19
20 WHEREAS, the State Administration and Veterans' Affairs Interim Committee (SAIC) closely examined
21 property tax, vehicle registration, and special license plate benefits available to veterans or their surviving
22 spouses; and

23 WHEREAS, the SAIC finds that state statutory language providing disabled veterans with certain
24 benefits based on a 100% disability rating from the U.S. Department of Veterans Affairs needs to be updated
25 to account for veterans with less than a 100% disability rating but entitled to receive compensation at the 100%
26 disability rate; and

27 WHEREAS, veterans and surviving spouses have requested closer parity between the vehicle
28 registration and special license plate benefits available to various classes of veterans and inclusion of the
29 surviving spouses of veterans killed while on active duty or who died as a result of a service-connected disability;
30 and

1 WHEREAS, statutory provisions related to vehicle registration and special license plate fees should be
2 simplified to the extent possible to streamline administration and address various other disparities.

3

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

5

6 NEW SECTION. **Section 1. Special plates for military personnel, veterans, and spouses.** (1) (a)
7 Active military personnel, veterans, or the surviving spouse of an eligible veteran, if the spouse has not
8 remarried, may be issued special military or veteran license plates as provided in this section.

9 (b) Subject to the provisions of 61-3-332 and except as otherwise provided in this chapter, special
10 license plates issued pursuant to this section must be numbered in sets of two with a different number on each
11 set and must be properly displayed as provided in 61-3-301.

12 (2) (a) Upon application, after paying all applicable vehicle registration fees and special license plate
13 fees and providing an official certificate from the applicant's unit commander verifying the individual's eligibility
14 and authorizing the department to issue the plates to the individual, eligible military personnel may be issued
15 ONE SET OF special military license plates as provided in this subsection (2).

16 (b) A member of the Montana national guard who is a state resident may be issued special license
17 plates with a design or decal displaying the letters "NG". However, the member shall surrender the plates to the
18 department when the member becomes ineligible.

19 (c) A member of the reserve armed forces of the United States who is a state resident may be issued
20 special license plates according to the member's branch of service verified in the application with a design or
21 decal displaying one of the following: United States army reserve, AR (symbol); United States naval reserve,
22 NR (anchor); United States air force reserve, AFR (symbol); or United States marine corps reserve, MCR (globe
23 and anchor). However, the member shall surrender the plates to the department when the member becomes
24 ineligible.

25 (d) An active member of the regular armed forces of the United States who is a state resident may be
26 issued special license plates inscribed with a symbol signifying the United States army, United States navy,
27 United States air force, United States marine corps, or United States coast guard, according to the member's
28 branch of service verified in the application. However, the member shall surrender the plates to the department
29 upon becoming ineligible.

30 (3) (a) Upon application, after presenting proper identification and a department of defense form 214

1 (DD-214) or its successor or documents showing an other-than-dishonorable discharge or a reenlistment
2 verifying the applicant's eligibility and paying the veterans' cemetery fee specified in [section 2] and all applicable
3 vehicle registration fees under this chapter, subject to the provisions of [section 3], an eligible veteran must be
4 issued any set AND MORE THAN ONE SET of the special license plates provided for in this subsection (3) that the
5 member requests and is eligible to receive.

6 (b) A veteran may be issued special license plates displaying the letters "DV", which entitles the veteran
7 to the parking privileges allowed to a person with a special parking permit issued under Title 49, chapter 4, part
8 3, if the veteran:

9 (i) has been awarded the purple heart and has been rated by the U.S. department of veterans affairs
10 as 50% or more disabled because of a service-connected injury; or

11 (ii) is ~~eligible to receive compensation from the U.S. department of veterans affairs at the rate for a~~
12 ~~100% service-connected disability~~ CURRENTLY RATED 100% DISABLED OR IS PAID AT THE 100% DISABLED RATE BY
13 THE U.S. DEPARTMENT OF VETERANS AFFAIRS FOR A SERVICE-CONNECTED DISABILITY.

14 (c) A veteran who has been awarded the purple heart may be issued special license plates with the
15 purple heart decal DISPLAYING THE WORDS "COMBAT WOUNDED".

16 (d) A veteran who was captured and held prisoner by the military force of a foreign nation may be issued
17 special license plates with a design or decal displaying the words "ex-prisoner of war" or an abbreviation that
18 the department considers appropriate.

19 (e) If the veteran was a member of the United States armed forces on December 7, 1941, and during
20 the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) was on station at Pearl Harbor on the island of Oahu or was
21 offshore from Pearl Harbor at a distance of not more than 3 miles, the veteran may be issued special license
22 plates designed to show that the veteran is a survivor of the Pearl Harbor attack.

23 (f) A person who is a member of the legion of valor may be issued special plates displaying a design
24 or decal depicting the recognized legion of valor medallion.

25 (g) A veteran may be issued special license plates displaying the word "VETERAN" and a symbol
26 signifying the United States army, United States navy, United States air force, United States marine corps, or
27 United States coast guard, according to the veteran's service record verified in the application.

28 (h) A member or former members of the Montana national guard eligible to receive a military retirement
29 may be issued special license plates displaying the Montana national guard insignia and the words "National
30 Guard veteran".

1 (4) Upon request, after paying the veterans' cemetery fee provided in [section 2] and all applicable
 2 vehicle registration fees under this chapter, subject to the provisions of [section 3], the surviving spouse of an
 3 eligible veteran, if the spouse has not remarried, may retain the special license plates issued to the deceased
 4 veteran, except the special "DV" plates provided for under subsection (3)(b).

5 (5) For purposes of this section, "veteran" has the meaning provided in 10-2-101.
 6

7 **NEW SECTION. Section 2. Veterans' cemetery fee for special veteran license plates --**
 8 **disposition.** (1) Except as provided in [section 3], an applicant for special veteran license plates provided for
 9 under [section 1(3)] must pay \$10 for each set issued, renewed, or transferred, in addition to any other taxes or
 10 fees applicable under this chapter.

11 (2) Fees collected under this section must be deposited in the state general fund and transferred as
 12 provided in 15-1-122 to the special revenue account for state veterans' cemeteries established in 10-2-603.
 13

14 **NEW SECTION. Section 3. Vehicle registration fee and veterans' cemetery fee waivers.** (1) Except
 15 as otherwise provided in this section, a person eligible under subsection (2) is exempt from the veterans'
 16 cemetery fee provided in [section 2] FOR ONE SET OF SPECIAL VETERAN LICENSE PLATES and all vehicle registration
 17 fees imposed by this chapter for one vehicle that is not used for commercial purposes.

18 (2) The following persons are eligible for the waiver provided in subsection (1):

19 (a) a veteran who was a prisoner of war who presents official documentation from the U.S. department
 20 of defense verifying the veteran's status, or the veteran's surviving spouse, IF THE SPOUSE HAS NOT REMARRIED;

21 (b) a veteran ~~entitled to receive compensation from the U.S. department of veterans affairs at the same~~
 22 ~~rate paid for a 100% service-connected disability~~ WHO IS CURRENTLY RATED 100% DISABLED OR IS PAID AT THE
 23 100% DISABLED RATE BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS FOR A SERVICE-CONNECTED DISABILITY, as
 24 verified by official documentation from the U.S. department of veterans affairs, or the veteran's surviving spouse,
 25 IF THE SPOUSE HAS NOT REMARRIED, ~~even if the veteran does not have a 100% service-connected disability~~
 26 ~~determination from the U.S. department of veterans affairs;~~

27 (c) a veteran determined by the U.S. department of veterans affairs to be 50% or more disabled
 28 because of a service-connected injury and who has been awarded the purple heart, as verified by official
 29 documentation from the U.S. department of veterans affairs and the veteran's military service record issued by
 30 the U.S. department of defense, or the veteran's surviving spouse, IF THE SPOUSE HAS NOT REMARRIED, except

- 1 that the veteran or the surviving spouse must pay the veterans' cemetery fee as provided for in [section 2];
- 2 (d) the surviving spouse, IF THE SPOUSE HAS NOT REMARRIED, of a military service member killed while
- 3 on active duty as verified in official documentation issued by the U.S. department of defense; and
- 4 (e) the surviving spouse, IF THE SPOUSE HAS NOT REMARRIED, of a military service member or veteran who
- 5 died of a service-connected injury or disability as determined by and verified in official documentation from the
- 6 U.S. department of veterans affairs.

7

8 **Section 4.** Section 15-1-121, MCA, is amended to read:

9 **"15-1-121. Entitlement share payment -- appropriation.** (1) The amount calculated pursuant to this

10 subsection is each local government's base entitlement share. The department shall estimate the total amount

11 of revenue that each local government received from the following sources for the fiscal year ending June 30,

12 2001:

13 (a) personal property tax reimbursements pursuant to sections 167(1) through (5) and 169(6), Chapter

14 584, Laws of 1999;

15 (b) vehicle and boat taxes and fees pursuant to:

16 (i) Title 23, chapter 2, part 5;

17 (ii) Title 23, chapter 2, part 6;

18 (iii) Title 23, chapter 2, part 8;

19 (iv) 61-3-317;

20 (v) 61-3-321;

21 (vi) Title 61, chapter 3, part 5, except for 61-3-509(3), as that subsection read prior to the amendment

22 of 61-3-509 in 2001;

23 (vii) Title 61, chapter 3, part 7;

24 (viii) 5% of the fees collected under 61-10-122;

25 (ix) 61-10-130;

26 (x) 61-10-148; and

27 (xi) 67-3-205;

28 (c) gaming revenue pursuant to Title 23, chapter 5, part 6, except for the permit fee in 23-5-612(2)(a);

29 (d) district court fees pursuant to:

30 (i) 25-1-201, except those fees in 25-1-201(1)(d), (1)(g), and (1)(j);

- 1 (ii) 25-1-202;
2 (iii) 25-1-1103;
3 (iv) 25-9-506;
4 (v) 25-9-804; and
5 (vi) 27-9-103;
6 (e) certificate of ownership fees for manufactured homes pursuant to 15-1-116;
7 (f) financial institution taxes pursuant to Title 15, chapter 31, part 7;
8 (g) coal severance taxes allocated for county land planning pursuant to 15-35-108;
9 (h) all beer, liquor, and wine taxes pursuant to:
10 (i) 16-1-404;
11 (ii) 16-1-406; and
12 (iii) 16-1-411;
13 (i) late filing fees pursuant to 61-3-201;
14 (j) title and registration fees pursuant to 61-3-203;
15 (k) ~~disabled veterans' flat license plate fees and purple heart cemetery~~ cemetery license plate fees pursuant to
16 ~~61-3-332~~ [section 2];
17 (l) county personalized license plate fees pursuant to 61-3-406;
18 (m) special mobile equipment fees pursuant to 61-3-431;
19 (n) single movement permit fees pursuant to 61-4-310;
20 (o) state aeronautics fees pursuant to 67-3-101; and
21 (p) department of natural resources and conservation payments in lieu of taxes pursuant to Title 77,
22 chapter 1, part 5.
- 23 (2) (a) From the amounts estimated in subsection (1) for each county government, the department shall
24 deduct fiscal year 2001 county government expenditures for district courts, less reimbursements for district court
25 expenses, and fiscal year 2001 county government expenditures for public welfare programs to be assumed by
26 the state in fiscal year 2002.
- 27 (b) The amount estimated pursuant to subsections (1) and (2)(a) is each local government's base year
28 component. The sum of all local governments' base year components is the base year entitlement share pool.
29 For the purpose of calculating the sum of all local governments' base year components, the base year
30 component for a local government may not be less than zero.

1 (3) (a) Beginning with fiscal year 2002 and in each succeeding fiscal year, the base year entitlement
2 share pool must be increased annually by a growth rate as provided for in this subsection (3). The amount
3 determined through the application of annual growth rates is the entitlement share pool for each fiscal year. For
4 fiscal year 2002, the growth rate is 3%. For fiscal year 2003, the growth rate is 3% for incorporated cities and
5 towns, 1.61% for counties, and 2.3% for consolidated local governments. Beginning with calendar year 2004,
6 by October 1 of each even-numbered year, the department shall calculate the growth rate of the entitlement
7 share pool for each year of the next biennium in the following manner:

8 (i) Before applying the growth rate for fiscal year 2004 to determine the fiscal year 2004 entitlement
9 share pool, the department shall add to the fiscal year 2003 entitlement share pool the fiscal year 2003 amount
10 of revenue actually distributed to the county from the 25-cent marriage license fee in 50-15-301 and the
11 probation and parole fee in 46-23-1031(2)(b).

12 (ii) The department shall calculate the average annual growth rate of the Montana gross state product,
13 as published by the bureau of economic analysis of the United States department of commerce, for the following
14 periods:

15 (A) the last 4 calendar years for which the information has been published; and

16 (B) the 4 calendar years beginning with the year before the first year in the period referred to in
17 subsection (3)(a)(ii)(A).

18 (iii) The department shall calculate the average annual growth rate of Montana personal income, as
19 published by the bureau of economic analysis of the United States department of commerce, for the following
20 periods:

21 (A) the last 4 calendar years for which the information has been published; and

22 (B) the 4 calendar years beginning with the year before the first year in the period referred to in
23 subsection (3)(a)(iii)(A).

24 (b) (i) For fiscal year 2004 and subsequent fiscal years, the entitlement share pool growth rate for the
25 first year of the biennium must be the following percentage of the average of the growth rates calculated in
26 subsections (3)(a)(ii)(B) and (3)(a)(iii)(B):

27 (A) for counties, 54%;

28 (B) for consolidated local governments, 62%; and

29 (C) for incorporated cities and towns, 70%.

30 (ii) The entitlement share pool growth rate for the second year of the biennium must be the following

1 percentage of the average of the growth rates calculated in subsections (3)(a)(ii)(A) and (3)(a)(iii)(A):

2 (A) for counties, 54%;

3 (B) for consolidated local governments, 62%; and

4 (C) for incorporated cities and towns, 70%.

5 (4) As used in this section, "local government" means a county, a consolidated local government, an
6 incorporated city, and an incorporated town. A local government does not include a tax increment financing
7 district provided for in subsection (6). For purposes of calculating the base year component for a county or
8 consolidated local government, the department shall include the revenue listed in subsection (1) for all special
9 districts within the county or consolidated local government. The county or consolidated local government is
10 responsible for making an allocation from the county's or consolidated local government's share of the
11 entitlement share pool to each special district within the county or consolidated local government in a manner
12 that reasonably reflects each special district's loss of revenue sources listed in subsection (1).

13 (5) (a) The entitlement share pools calculated in this section and the block grants provided for in
14 subsection (6) are statutorily appropriated, as provided in 17-7-502, from the general fund to the department for
15 distribution to local governments. Each local government is entitled to a pro rata share of each year's entitlement
16 share pool based on the local government's base component in relation to the base year entitlement share pool.
17 The distributions must be made on a quarterly basis beginning September 15, 2001.

18 (b) (i) For fiscal year 2002, the growth amount is the difference between the fiscal year 2002 entitlement
19 share pool and the base year entitlement share pool. For fiscal year 2002, a county may have a negative base
20 year component. For fiscal year 2003 and each succeeding fiscal year, the growth amount is the difference
21 between the entitlement share pool in the current fiscal year and the entitlement share pool in the previous fiscal
22 year. For the purposes of subsection (5)(b)(ii)(A), a county with a negative base year component has a base year
23 component of zero. The growth factor in the entitlement share must be calculated separately for:

24 (A) counties;

25 (B) consolidated local governments; and

26 (C) incorporated cities and towns.

27 (ii) In each fiscal year, the growth amount for counties must be allocated as follows:

28 (A) 50% of the growth amount must be allocated based upon each county's percentage of the base year
29 entitlement share pool for all counties; and

30 (B) 50% of the growth amount must be allocated based upon the percentage that each county's

1 population bears to the state population not residing within consolidated local governments as determined by
2 the latest interim year population estimates from the Montana department of commerce as supplied by the
3 United States bureau of the census.

4 (iii) In each fiscal year, the growth amount for consolidated local governments must be allocated as
5 follows:

6 (A) 50% of the growth amount must be allocated based upon each consolidated local government's
7 percentage of the base year entitlement share pool for all consolidated local governments; and

8 (B) 50% of the growth amount must be allocated based upon the percentage that each consolidated
9 local government's population bears to the state's total population residing within consolidated local governments
10 as determined by the latest interim year population estimates from the Montana department of commerce as
11 supplied by the United States bureau of the census.

12 (iv) In each fiscal year, the growth amount for incorporated cities and towns must be allocated as follows:

13 (A) 50% of the growth amount must be allocated based upon each incorporated city's or town's
14 percentage of the base year entitlement share pool for all incorporated cities and towns; and

15 (B) 50% of the growth amount must be allocated based upon the percentage that each city's or town's
16 population bears to the state's total population residing within incorporated cities and towns as determined by
17 the latest interim year population estimates from the Montana department of commerce as supplied by the
18 United States bureau of the census.

19 (v) In each fiscal year, the amount of the entitlement share pool not represented by the growth amount
20 is distributed to each local government in the same manner as the entitlement share pool was distributed in the
21 prior fiscal year.

22 (vi) For fiscal year 2002, an amount equal to the district court costs identified in subsection (2) must be
23 added to each county government's distribution from the entitlement share pool.

24 (vii) For fiscal year 2002, an amount equal to the district court fees identified in subsection (1)(d) must
25 be subtracted from each county government's distribution from the entitlement share pool.

26 (6) (a) If a tax increment financing district was not in existence during the fiscal year ending June 30,
27 2000, then the tax increment financing district is not entitled to any block grant. If a tax increment financing
28 district referred to in subsection (6)(b) terminates, then the block grant provided for in subsection (6)(b)
29 terminates.

30 (b) One-half of the payments provided for in this subsection (6)(b) must be made by November 30 and

1 the other half by May 31 of each year. Subject to subsection (6)(a), the entitlement share for tax increment
2 financing districts is as follows:

3	Cascade	Great Falls - downtown	\$468,966
4	Deer Lodge	TIF District 1	3,148
5	Deer Lodge	TIF District 2	3,126
6	Flathead	Kalispell - District 1	758,359
7	Flathead	Kalispell - District 2	5,153
8	Flathead	Kalispell - District 3	41,368
9	Flathead	Whitefish District	164,660
10	Gallatin	Bozeman - downtown	34,620
11	Lewis and Clark	Helena - # 2	731,614
12	Missoula	Missoula - 1-1B & 1-1C	1,100,507
13	Missoula	Missoula - 4-1C	33,343
14	Silver Bow	Butte - uptown	283,801
15	Yellowstone	Billings	436,815

16 (c) The entitlement share for industrial tax increment financing districts is as follows:

17 (i) for fiscal years 2002 and 2003:

18	Missoula County	Airport Industrial	\$4,812
19	Silver Bow	Ramsay Industrial	597,594;

20 (ii) for fiscal years 2004 and 2005:

21	Missoula	County Airport Industrial	\$2,406
22	Silver Bow	Ramsay Industrial	298,797; and

23 (iii) \$0 for all succeeding fiscal years.

24 (d) The entitlement share for industrial tax increment financing districts referred to in subsection (6)(c)
25 may not be used to pay debt service on tax increment bonds to the extent that the bonds are secured by a
26 guaranty, a letter of credit, or a similar arrangement provided by or on behalf of an owner of property within the
27 tax increment financing industrial district.

28 (e) One-half of the payments provided for in subsection (6)(c) must be made by July 30, and the other
29 half must be made in December of each year.

30 (7) The estimated base year entitlement share pool and any subsequent entitlement share pool for local

1 governments do not include revenue received from countywide transportation block grants or from countywide
2 retirement block grants.

3 (8) The estimates for the base year entitlement share pool in subsection (1) must be calculated as if
4 the fees in Chapter 515, Laws of 1999, were in effect for all of fiscal year 2001.

5 (9) (a) If revenue that is included in the sources listed in subsections (1)(b) through (1)(p) is significantly
6 reduced, except through legislative action, the department shall deduct the amount of revenue loss from the
7 entitlement share pool beginning in the succeeding fiscal year and the department shall work with local
8 governments to propose legislation to adjust the entitlement share pool to reflect an allocation of the loss of
9 revenue.

10 (b) For the purposes of subsection (9)(a), a significant reduction is a loss that causes the amount of
11 revenue received in the current year to be less than 95% of the amount of revenue received in the base year.

12 (10) A three-fifths vote of each house is required to reduce the amount of the entitlement share
13 calculated pursuant to subsections (1) through (3).

14 (11) When there has been an underpayment of a local government's share of the entitlement share pool,
15 the department shall distribute the difference between the underpayment and the correct amount of the
16 entitlement share. When there has been an overpayment of a local government's entitlement share, the local
17 government shall remit the overpaid amount to the department.

18 (12) A local government may appeal the department's estimation of the base year component, the
19 entitlement share pool growth rate, or a local government's allocation of the entitlement share pool, according
20 to the uniform dispute review procedure in 15-1-211."

21

22 **Section 5.** Section 15-1-122, MCA, is amended to read:

23 **"15-1-122. Fund transfers.** (1) There is transferred from the state general fund to the adoption services
24 account, provided for in 42-2-105, \$36,764 for fiscal year 2003. Beginning with fiscal year 2004, the amount of
25 the transfer must be increased by 10% in each succeeding fiscal year.

26 (2) There is transferred from the state general fund to the department of transportation state special
27 revenue nonrestricted account the following amounts:

28 (a) \$75,000 in fiscal year 2003;

29 (b) \$2,960,715 in fiscal year 2004; and

30 (c) in each succeeding fiscal year, the amount in subsection (2)(b), increased by 1.5% in each

1 succeeding fiscal year.

2 (3) For fiscal year 2002 and for each succeeding fiscal year, there is transferred from the state general
3 fund to the accounts, entities, or recipients indicated the following amounts:

4 (a) to the motor vehicle recycling and disposal program provided for in Title 75, chapter 10, part 5:

5 (i) \$2 for each new application for a motor vehicle title and for each transfer of a motor vehicle title for
6 which a fee is paid pursuant to 61-3-203; and

7 (ii) \$1 for each passenger car or truck under 8,001 pounds GVW registered for licensing pursuant to Title
8 61, chapter 3, part 3. Fifteen cents of each dollar must be used for the purpose of reimbursing the hired removal
9 of abandoned vehicles during the calendar year following the calendar year in which the fee was paid. Any
10 portion of the 15 cents not used for abandoned vehicle removal reimbursement during the calendar year
11 following its payment must be used as provided in 75-10-532;

12 (b) to the noxious weed state special revenue account provided for in 80-7-816:

13 (i) \$1 for each off-highway vehicle subject to payment of the fee in lieu of tax, as provided for in
14 23-2-803; and

15 (ii) \$1.50 for each light vehicle, truck or bus weighing less than 1 ton, logging truck, vehicles weighing
16 more than 1 ton, motorcycle, quadricycle, and motor home subject to registration or reregistration pursuant to
17 61-3-321;

18 (c) to the department of fish, wildlife, and parks:

19 (i) \$2.50 for each motorboat, sailboat, or personal watercraft receiving a certificate of number under
20 23-2-512, with 20% of the amount received to be used to acquire and maintain pumpout equipment and other
21 boat facilities;

22 (ii) \$5 for each snowmobile registered under 23-2-616, with \$2.50 to be used for enforcing the purposes
23 of 23-2-601 through 23-2-644 and \$2.50 designated for use in the development, maintenance, and operation
24 of snowmobile facilities;

25 (iii) \$1 for each duplicate snowmobile decal issued under 23-2-617;

26 (iv) \$5 for each off-highway vehicle decal issued under 23-2-804 and each off-highway vehicle duplicate
27 decal issued under 23-2-809, with 40% of the money used to enforce the provisions of 23-2-804 and 60% of the
28 money used to develop and implement a comprehensive program and to plan appropriate off-highway vehicle
29 recreational use;

30 (v) to the state special revenue fund established in 23-1-105, \$3.50 for each recreational vehicle,

1 camper, motor home, and travel trailer registered or reregistered and subject to the fee in 61-3-321 or 61-3-524;
2 and

3 (vi) an amount equal to 20% of the funds collected pursuant to 23-2-518 to be deposited in the
4 motorboat account to be used as provided in 23-2-533;

5 (d) to the state veterans' cemetery account, provided for in 10-2-603, ~~\$10 for each veteran's license~~
6 ~~plate issued pursuant to 61-3-332(10)(a)(ii), (10)(f), and (10)(h) fees collected pursuant to \$10 FOR EACH~~
7 VETERAN'S LICENSE PLATE SUBJECT TO THE FEE IN [section 2];

8 (e) to the supplemental benefits for highway patrol officers' retirement account provided for in 19-6-709,
9 25 cents for each motor vehicle registered, other than trailers or semitrailers registered in other jurisdictions and
10 registered through a proportional registration agreement; and

11 (f) 25 cents a year for each vehicle subject to the fee in 61-3-321(6) for deposit in the state special
12 revenue fund to the credit of the senior citizens and persons with disabilities transportation services account
13 provided for in 7-14-112.

14 (4) For fiscal year 2002, there is transferred from the state general fund to the state special revenue
15 fund to be used for purposes of state funding of district court expenses, as provided in 3-5-901, \$5,742,983 in
16 lieu of the amount deposited by the state treasurer under 61-3-509(3), as that subsection read prior to the
17 amendment of 61-3-509 in 2001.

18 (5) For each fiscal year, beginning with fiscal year 2002, the department of justice shall provide to the
19 department of revenue a count of the vehicles required for the calculations in subsection (3). Transfer amounts
20 for fiscal year 2002 must be based on vehicle counts for calendar year 2000. Transfer amounts in each
21 succeeding fiscal year must be based on vehicle counts in the most recent calendar year for which vehicle
22 information is available.

23 (6) The amounts transferred from the general fund to the designated recipient must be appropriated
24 as state special revenue in the general appropriations act for the designated purposes."
25

26 **Section 6.** Section 15-6-211, MCA, is amended to read:

27 **"15-6-211. Certain disabled or deceased veterans' residences exempt.** (1) A residence, including
28 the lot on which it is built, that is owned and occupied by a veteran or a veteran's spouse is exempt from property
29 taxation if the veteran:

30 (a) was killed while on active duty or died as a result of a service-connected disability; or

1 (b) if living:
 2 (i) was honorably discharged from active service in any branch of the armed services; and
 3 (ii) ~~has been rated 100% disabled because of a service-connected disability by~~ is entitled to receive
 4 compensation from the United States U.S. department of veterans affairs or its successor at the same rate paid
 5 for a 100% service-connected disability CURRENTLY RATED 100% DISABLED OR IS PAID AT THE 100% DISABLED RATE
 6 BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS FOR A SERVICE-CONNECTED DISABILITY, as verified by official
 7 documentation from the U.S. department of veterans affairs, even if the veteran does not have a 100%
 8 service-connected disability determination from the U.S. department of veterans affairs; and
 9 (iii) has an annual adjusted gross income, as reported on the latest federal income tax return, of not
 10 more than \$30,000 for a single person and \$36,000 for a married couple.

11 (2) PROPERTY QUALIFYING UNDER SUBSECTION (1) IS TAXED AT THE RATE PROVIDED IN 15-6-134(2)(A)
 12 MULTIPLIED BY A PERCENTAGE FIGURE BASED ON INCOME AND DETERMINED FROM THE FOLLOWING TABLE:

	<u>INCOME</u>	<u>INCOME</u>	<u>PERCENTAGE</u>
	<u>SINGLE PERSON</u>	<u>MARRIED COUPLE</u>	<u>MULTIPLIER</u>
13	<u>0 - 30,000</u>	<u>0 - 36,000</u>	<u>0%</u>
14	<u>30,001 - 33,000</u>	<u>36,001 - 39,000</u>	<u>20%</u>
15	<u>33,001 - 36,000</u>	<u>39,001 - 42,000</u>	<u>30%</u>
16	<u>36,001 - 39,000</u>	<u>42,001 - 45,000</u>	<u>50%</u>
17			
18			

19 ~~(2)(3)~~ The property tax exemption under this section remains in effect as long as the property is the
 20 primary residence owned and occupied by the veteran or, if the veteran is deceased, by the veteran's spouse
 21 and the spouse:

22 (a) is the owner and occupant of the house;
 23 ~~(b) has an annual adjusted gross income, as reported on the latest federal income tax return, of not~~
 24 ~~more than \$25,000;~~
 25 ~~(c)(b) is unmarried; and~~
 26 ~~(d)(c) has obtained from the United States U.S. department of veterans affairs a letter indicating that~~
 27 ~~the veteran was entitled to receive compensation from the U.S. department of veterans affairs at the same rate~~
 28 ~~paid for a 100% service-connected disabled disability at the time of death, even if the veteran did not have a~~
 29 ~~100% service-connected disability determination from the U.S. department of veterans affairs, RATED 100%~~
 30 ~~DISABLED OR WAS PAID AT THE 100% DISABLED RATE BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS FOR A~~

1 SERVICE-CONNECTED DISABILITY AT THE TIME OF DEATH or that the veteran died while on active duty or as a result
 2 of a service-connected disability.

3 (4) PROPERTY QUALIFYING UNDER SUBSECTION (3) IS TAXED AT THE RATE PROVIDED IN 15-6-134(2)(A)
 4 MULTIPLIED BY A PERCENTAGE FIGURE BASED ON INCOME AND DETERMINED FROM THE FOLLOWING TABLE:

INCOME SURVIVING SPOUSE	PERCENTAGE MULTIPLIER
0 - 25,000	0%
25,001 - 28,000	20%
28,001 - 31,000	30%
31,001 - 34,000	50%

5
 6
 7
 8
 9
 10
 11 (5) FOR THE PURPOSES OF THE EXEMPTION UNDER THIS SECTION, THE INCOME REFERRED TO IN SUBSECTIONS
 12 (2) AND (4) IS THE TAXPAYER'S FEDERAL ADJUSTED GROSS INCOME, AS REPORTED ON THE LATEST FEDERAL INCOME TAX
 13 RETURN.

14 (5)(6) (A) THE INCOME LEVELS CONTAINED IN THE TABLES IN SUBSECTIONS (2) AND (4) MUST BE ADJUSTED FOR
 15 INFLATION ANNUALLY BY THE DEPARTMENT. THE ADJUSTMENT TO THE INCOME LEVELS IS DETERMINED BY:

16 (I) MULTIPLYING THE APPROPRIATE DOLLAR AMOUNT FROM THE TABLE BY THE RATIO OF THE PCE FOR THE
 17 SECOND QUARTER OF THE YEAR PRIOR TO THE YEAR OF APPLICATION TO THE PCE FOR THE SECOND QUARTER OF 2002;
 18 AND

19 (II) ROUNDING THE PRODUCT OBTAINED IN SUBSECTION (5)(A)(I) (6)(A)(I) TO THE NEAREST DOLLAR AMOUNT.

20 (B) "PCE" MEANS THE IMPLICIT PRICE DEFLATOR FOR PERSONAL CONSUMPTION EXPENDITURES AS PUBLISHED
 21 QUARTERLY IN THE SURVEY OF CURRENT BUSINESS BY THE BUREAU OF ECONOMIC ANALYSIS OF THE U.S. DEPARTMENT
 22 OF COMMERCE."

23
 24 **Section 7.** Section 49-4-301, MCA, is amended to read:

25 **"49-4-301. Eligibility for special parking permit.** (1) The department of justice shall issue a special
 26 parking permit to a person who has a disability that limits or impairs the person's mobility and who, as
 27 determined by a licensed physician, a licensed chiropractor, or a licensed advanced practice registered nurse,
 28 as provided in 37-8-202, meets one of the following criteria:

- 29 (a) cannot walk 200 feet without stopping to rest;
- 30 (b) is severely limited in ability to walk because of an arthritic, neurological, or orthopedic condition;

1 (c) is so severely disabled that the person cannot walk without the use of or assistance from a brace,
2 cane, another person, prosthetic device, wheelchair, or other assistive device;

3 (d) uses portable oxygen;

4 (e) is restricted by lung disease to the extent that forced expiratory respiratory volume, when measured
5 by spirometry, is less than 1 liter per second or the arterial oxygen tension is less than 60 mm/hg on room air
6 at rest;

7 (f) has impairment because of cardiovascular disease or a cardiac condition to the extent that the
8 person's functional limitations are classified as class III or IV under standards accepted by the American heart
9 association; or

10 (g) has a disability resulting from an acute sensitivity to automobile emissions or from another disease
11 or physical condition that limits or impairs the person's mobility and that is documented by the licensed physician,
12 the licensed chiropractor, or the licensed advanced practice registered nurse as being comparable in severity
13 to the other conditions listed in this subsection (1).

14 (2) A person who has a condition expected to improve within 6 months may be issued a temporary
15 placard for a period not to exceed 6 months but may not be issued a special license plate under ~~61-3-332(10)~~(g)
16 61-3-332(11). If the condition exists after 6 months, a new temporary placard must be issued for the time period
17 prescribed by the applicant's physician, chiropractor, or advanced practice registered nurse, not to exceed 24
18 months, upon receipt of a new certification from the disabled person's physician, chiropractor, or advanced
19 practice registered nurse that the conditions specified in subsection (1) continue to exist and are expected to
20 continue for the time specified.

21 (3) The department of justice may issue special parking permits to an agency or business that provides
22 transportation as a service for persons with a disability. The permits must be used only to load and unload
23 persons with a disability in the special parking place provided for in 49-4-302. As used in this subsection,
24 "disability" means a physical impairment that severely limits a person's ability to walk.

25 (4) Except as provided in subsection (3), an applicant may not receive more than one permit."
26

27 **Section 8.** Section 49-4-302, MCA, is amended to read:

28 **"49-4-302. Privileges of permitholder -- privilege for disabled veteran -- exemptions from time**
29 **limits -- requirements for special parking spaces.** (1) The parking permit issued under this part, when
30 displayed, entitles a person to park a motor vehicle in a special parking space reserved for a person with a

1 disability, whether on public property or on private property available for public use, when the person for whom
2 the permit was issued is using the special parking space to enter or exit the vehicle.

3 (2) A vehicle may not be parked in a parking space on public or private property that is clearly identified
4 by an official sign as being reserved for use by a person with a disability unless:

5 (a) the vehicle is lawfully displaying a parking permit issued under this part, a distinguishing license
6 plate or placard for a person with a disability that was issued by a foreign jurisdiction conferring parking
7 privileges similar to those conferred in subsection (1), or a specially inscribed license plate displaying the letters
8 "DV" issued under ~~61-3-332(10)(c)(i)(A) or (10)(g) or 61-3-426(2)~~ section 1(3)(b) or displaying a wheelchair as
9 provided in 61-3-332(11); and

10 (b) the reserved parking space is being used by the person for whom the permit, plate, or placard was
11 issued to enter or exit the vehicle.

12 (3) The governing body of a city, town, or county may exempt vehicles lawfully displaying parking
13 permits issued under this part and vehicles lawfully displaying specially inscribed license plates displaying the
14 letters "DV" issued under ~~61-3-332(10)(c)(i)(A) or (10)(g) or 61-3-426(2)~~ section 1(3)(b) or displaying a
15 wheelchair as provided in 61-3-332(11) and parked in public places along public streets from any time limitation
16 imposed upon parking, except in areas where:

17 (a) stopping, standing, or parking of all vehicles is prohibited;

18 (b) only special vehicles may be parked; or

19 (c) parking is not allowed during specific periods of the day in order to accommodate heavy traffic.

20 (4) In accordance with subsection (2), the governing body of a city, town, or county or appropriate state
21 agency may impose all, but not less than all, of the following requirements with respect to any special parking
22 space constructed after September 30, 1985, and reserved for a person with a disability or a permit holder on
23 ways of this state open to the public, as defined in 61-8-101:

24 (a) The space must be located on a smooth, level surface as near as practicable to building entrances
25 or walkways that have curb cuts and appropriately designed ramps and access lanes to accommodate
26 wheelchairs.

27 (b) If parallel to curbside, the parking space must be separated from an adjacent space, either in the
28 front or the rear, by at least 5 feet of striped no-parking area.

29 (c) If at an angle to curbside, the parking space must be at least 8 feet wide and free of obstruction if
30 located at the end of a line of angle parking spaces, and each other angle parking space designated for a person

1 with a disability must be at least 13 feet wide.

2 (d) A parking space reserved for a person with a disability must be designated by a sign showing the
3 international symbol of accessibility, indicating that a permit is required, and stating the penalty for a violation.
4 In order to meet the penalty statement requirement, signs existing on October 1, 1993, must have attached a
5 decal stating the penalty for a violation. The sign must be attached to a wall or post in a way that it is not
6 obscured by a vehicle parked in the space."

7

8 **Section 9.** Section 49-4-304, MCA, is amended to read:

9 **"49-4-304. Special license plate or card to be provided and displayed -- additional cards allowed**
10 **for owners of more than one vehicle.** (1) ~~The~~ Unless the department of justice ~~shall provide~~ issued a special
11 license plate under ~~61-3-332(10)(g) or 61-3-426(1) or [section 1(3)(b)] or 61-3-332(11)~~ indicating a special
12 parking privilege, the department shall provide a card to be displayed on or in a motor vehicle to indicate a
13 parking privilege granted under this part. The special license plate must be affixed to the vehicle according to
14 61-3-301, or the card must be prominently displayed in the windshield of a vehicle when the parking privilege
15 is being used by the person with a disability in a vehicle other than the one to which a special license plate is
16 affixed.

17 (2) Subject to the provisions of 49-4-301 through 49-4-305, a person who is eligible to receive a special
18 parking permit and who owns more than one motor vehicle may request and the department of justice shall
19 provide additional cards described in subsection (1) to equal the number of motor vehicles, other than
20 commercial vehicles, owned by the person.

21 (3) Upon application under 49-4-303, a person with a disability who does not hold a driver's license or
22 does not own a vehicle may receive a card described in subsection (1) to be displayed in a vehicle in which the
23 person with a disability is being conveyed when the parking privilege is being used.

24 (4) The card must bear a representation of a wheelchair as the symbol of a person with a disability."
25

26 **Section 10.** Section 61-3-313, MCA, is amended to read:

27 **"61-3-313. Vehicles subject to staggered registration.** For purposes of 61-3-313 through 61-3-316,
28 "vehicle" means a motor vehicle, as defined in 61-1-102, that is subject to annual registration in this state except:

29 (1) vehicles owned or leased and operated by the government of the United States or by the state of
30 Montana or a political subdivision of the state;

- 1 (2) mobile homes and motor homes;
- 2 (3) vehicles that are registered in accordance with or subject to ~~61-3-332(10)(c)(i)(A)~~ section 1(3)(b),
- 3 61-3-411, or 61-3-421;
- 4 (4) trucks exceeding a 1-ton rated capacity;
- 5 (5) trailers, semitrailers, tractors, buses, motorcycles, quadricycles, and motor-driven cycles;
- 6 (6) special mobile equipment as defined in 61-1-104;
- 7 (7) motor vehicles registered as part of a fleet under 61-3-318; and
- 8 (8) apportionable vehicles registered as part of a fleet, as defined in 61-3-712, that is subject to the
- 9 provisions of 61-3-711 through 61-3-733."

10

11 **Section 11.** Section 61-3-321, MCA, is amended to read:

12 **"61-3-321. Registration fees of vehicles -- certain vehicles exempt from license or registration**

13 **fees -- disposition of fees.** (1) ~~Registration~~ Except as otherwise provided in this section, registration or license

14 fees must be paid upon registration or reregistration of motor vehicles, trailers, and semitrailers, in accordance

15 with this chapter, as follows:

- 16 (a) light vehicles under 2,850 pounds, \$13.75;
- 17 (b) trailers with a declared weight of less than 2,500 pounds and semitrailers, \$8.25;
- 18 (c) motor vehicles registered pursuant to 61-3-411 that are:
- 19 (i) over 2,850 pounds, \$10; and
- 20 (ii) under 2,850 pounds, \$5;
- 21 (d) off-highway vehicles registered pursuant to 23-2-817, \$9;
- 22 (e) light vehicles over 2,850 pounds, trucks and buses less than 1 ton, and heavy trucks in excess of
- 23 1 ton, \$18.75;
- 24 (f) logging trucks less than 1 ton, \$23.75;
- 25 (g) motor homes, \$22.25;
- 26 (h) motorcycles and quadricycles, \$9.75;
- 27 (i) trailers and semitrailers between 2,500 and 6,000 pounds, \$11.25;
- 28 (j) trailers and semitrailers in excess of 6,000 pounds, other than trailers and semitrailers registered in
- 29 other jurisdictions and registered through a proportional registration agreement, \$16.25;
- 30 (k) travel trailers, \$11.75; and

1 (l) recreational vehicles, \$3.50.

2 (2) If a motor vehicle, trailer, or semitrailer is originally registered 6 months after the time of registration
3 as set by law, the registration or license fee for the remainder of the year is one-half of the regular fee.

4 (3) An additional fee of \$5 must be collected for the registration of each motorcycle as a safety fee and
5 must be deposited in the state motorcycle safety account provided for in 20-25-1002.

6 (4) A fee of \$2 for each set of new number plates must be collected when number plates provided for
7 under 61-3-332(2) are issued.

8 (5) The provisions of this part with respect to the payment of registration fees do not apply to and are
9 not binding upon motor vehicles, trailers, semitrailers, or tractors owned or controlled by the United States of
10 America or any state, county, city, or special district, as defined in 18-8-202.

11 (6) (a) Except as provided in 61-3-562 and subsection (6)(b) of this section, a fee of 25 cents a year for
12 each registration of a vehicle must be collected when a vehicle is registered or reregistered. The revenue
13 derived from this fee must be forwarded by the county treasurer for deposit in the general fund for transfer to
14 the credit of the senior citizens and persons with disabilities transportation services account provided for in
15 7-14-112.

16 (b) The following vehicles are not subject to the fee imposed in subsection (6)(a):

17 (i) trailers and semitrailers registered in other jurisdictions and registered through a proportional
18 registration agreement; and

19 (ii) travel trailers, recreational vehicles, and off-highway vehicles registered pursuant to 23-2-817.

20 (7) The provisions of this section relating to the payment of registration fees or new number plate fees
21 do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332, or
22 61-3-335.

23 (8) A person qualifying eligible for a waiver under ~~61-3-332(10)(d)~~ [section 3] is exempt from the fees
24 required under this section.

25 (9) Except as otherwise provided in this section, revenue collected under this section must be deposited
26 in the state general fund."

27

28 **Section 12.** Section 61-3-332, MCA, is amended to read:

29 **"61-3-332. (Temporary) Number plates.** (1) A motor vehicle that is driven upon the streets or highways
30 of Montana must display both front and rear number plates, bearing the distinctive number assigned to the

1 vehicle.

2 (2) In addition to special license plates, collegiate license plates, and generic specialty license plates
3 authorized under this chapter, a separate series of number plates must be issued, in the manner specified, for
4 each of the following vehicle or dealer types:

5 (a) passenger vehicles, including automobiles, vans, and sport utility vehicles;

6 (b) motorcycles and quadricycles, bearing the letters "MC" or "CYCLE";

7 (c) trucks, bearing the letter "T" or the word "TRUCK";

8 (d) trailers, bearing the letters "TR" or the word "TRAILER";

9 (e) dealers of new, or new and used, motor vehicles, including trucks and trailers, bearing the letter "D"
10 or the word "DEALER";

11 (f) dealers of used motor vehicles only, including trucks and trailers, bearing the letters "UD" or the letter
12 "U" and the word "DEALER";

13 (g) dealers of motorcycles or quadricycles, bearing the letters "MCD" or the letters "MC" and the word
14 "DEALER";

15 (h) dealers of trailers or semitrailers, bearing the letters "DTR" or the letters "TR" and the word
16 "DEALER"; and

17 (i) dealers of recreational vehicles, bearing the letters "RV" or the letter "R" and the word "DEALER".

18 (3) (a) Except as provided in 61-3-479 and subsections (4)(c) and (4)(d) of this section, all number
19 plates for motor vehicles must be issued for a maximum period of 4 years, bear a distinctive marking, and be
20 furnished by the department. In years when number plates are not issued, the department shall provide
21 nonremovable stickers bearing appropriate registration numbers that must be affixed to the license plates in use.

22 (b) For motorcycles, quadricycles, and light vehicles that are permanently registered as provided in
23 61-3-527 or 61-3-315 and 61-3-562, the department shall provide distinctive nonremovable stickers indicating
24 that the vehicle is permanently registered. The stickers must be affixed to the license plates in use.

25 (4) (a) Subject to the provisions of this section, the department shall create a new design for number
26 plates as provided in this section, and it shall manufacture the newly designed number plates for issuance after
27 December 31, 1999, to replace at renewal, as required in 61-3-312 and 61-3-314, number plates that were
28 displayed on motor vehicles before that date.

29 (b) Beginning January 1, 2000, the department shall manufacture and issue new number plates every
30 4 years.

1 (c) A light vehicle that is registered for a 24-month period, as provided in 61-3-315 and 61-3-560, may
2 display the number plate and plate design in effect at the time of registration for the entire 24-month registration
3 period.

4 (d) A motorcycle, quadricycle, or light vehicle that is permanently registered, as provided in 61-3-527
5 or 61-3-315 and 61-3-562, may display the number plate and plate design in effect at the time of registration for
6 the entire period that the vehicle is permanently registered.

7 (5) In the case of passenger vehicles and trucks, plates must be of metal 6 inches wide and 12 inches
8 in length. Except for generic specialty license plates, the outline of the state of Montana must be used as a
9 distinctive border on the license plates, and the word "Montana" must be placed on each plate. Registration
10 plates must be treated with a reflectorized background material according to specifications prescribed by the
11 department.

12 (6) The distinctive registration numbers must begin with a number one or with a letter-number
13 combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers. Except for special
14 license plates, collegiate license plates, and generic specialty license plates, the distinctive registration number
15 or letter-number combination assigned to the vehicle must appear on the plate preceded by the number of the
16 county and appearing in horizontal order on the same horizontal baseline. The county number must be
17 separated from the distinctive registration number by a separation mark unless a letter-number combination is
18 used. The dimensions of the numerals and letters must be determined by the department, and all county and
19 registration numbers must be of equal height.

20 (7) For the use of exempt motor vehicles and motor vehicles that are exempt from the registration fee
21 as provided in 61-3-560(2)(a), in addition to the markings provided in this section, number plates must bear the
22 following distinctive markings:

23 (a) For vehicles owned by the state, the department may designate the prefix number for the various
24 state departments. All numbered plates issued to state departments must bear the words "State Owned", and
25 a year number may not be indicated on the plates because these numbered plates are of a permanent nature
26 and will be replaced by the department only when the physical condition of numbered plates requires it.

27 (b) For vehicles that are owned by the counties, municipalities, and special districts, as defined in
28 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and operated by
29 officials and employees in the line of duty and for vehicles on loan from the United States government or the
30 state of Montana to, or owned by, the civil air patrol and used and operated by officials and employees in the

1 line of duty, there must be placed on the number plates assigned, in a position that the department may
 2 designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for plates assigned to motor
 3 vehicles of each of the counties in the state and those of the municipalities and special districts that obtain plates
 4 within each county must begin with number one and be numbered consecutively. Because these number plates
 5 are of a permanent nature, they are subject to replacement by the department only when the physical condition
 6 of the number plates requires it and a year number may not be displayed on the number plates.

7 (8) Number plates issued to a passenger vehicle, truck, trailer, motorcycle, or quadricycle may be
 8 transferred only to a replacement passenger vehicle, truck, trailer, motorcycle, or quadricycle. A registration or
 9 license fee may not be assessed upon a transfer of a number plate under 61-3-317 and 61-3-335.

10 (9) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:
 11 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;
 12 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;
 13 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;
 14 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;
 15 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;
 16 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,
 17 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must
 18 be assigned numbers by the department as they may be formed, beginning with the number 57.

19 (10) Each type of special license plate approved by the legislature, except collegiate license plates
 20 authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be
 21 a separate series of plates, numbered as provided in subsection (6), except that the county number must be
 22 replaced by a nonremovable design or decal designating the group or organization to which the applicant
 23 belongs. Unless otherwise specifically stated in this section, the special plates are subject to the same rules and
 24 laws as govern the issuance of regular license plates, must be placed or mounted on a vehicle owned by the
 25 person who is eligible to receive them, and must be removed upon sale or other disposition of the vehicle. ~~The~~
 26 ~~special license plates must be issued to national guard members, former prisoners of war, persons with~~
 27 ~~disabilities, reservists, disabled veterans, survivors of the Pearl Harbor attack, veterans of the armed services,~~
 28 ~~national guard veterans, legion of valor members, or veterans of the armed services who were awarded the~~
 29 ~~purple heart medal, who comply with the following provisions:~~

30 ~~_____ (a) (i) An active member of the Montana national guard may be issued special license plates with a~~

1 ~~design or decal displaying the letters "NG". The adjutant general shall issue to each active member of the~~
2 ~~Montana national guard a certificate authorizing the department to issue national guard plates, numbered in sets~~
3 ~~of two with a different number on each set, and the member shall surrender the plates to the department upon~~
4 ~~becoming ineligible to use them.~~

5 ~~———(ii) The department may issue national guard veteran plates, bearing a design or decal displaying the~~
6 ~~Montana national guard insignia and the words "National Guard veteran" and numbered in sets of two with a~~
7 ~~different number on each set, to an applicant who presents to the department a copy of certification of national~~
8 ~~guard retirement eligibility issued by the appropriate authorities for the applicant or the applicant's deceased~~
9 ~~spouse and who pays, in addition to all taxes and fees required by parts 3 and 5 of this chapter, a national guard~~
10 ~~veteran license plate fee of \$10. The additional fee must be distributed in accordance with the provisions of~~
11 ~~subsection (12).~~

12 ~~———(b) An active member of the reserve armed forces of the United States of America who is a resident~~
13 ~~of this state may be issued special license plates with a design or decal displaying the following: United States~~
14 ~~army reserve, AR (symbol); United States naval reserve, NR (anchor); United States air force reserve, AFR~~
15 ~~(symbol); and United States marine corps reserve, MCR (globe and anchor). The commanding officer of each~~
16 ~~armed forces reserve unit shall issue to each eligible member of the reserve unit a certificate authorizing the~~
17 ~~issuance of special license plates, numbered in sets of two with a different number on each set. The member~~
18 ~~shall surrender the plates to the department upon becoming ineligible to use them.~~

19 ~~———(c) (i) Subject to the limitation in 61-3-453, a resident of Montana who is a veteran of the armed forces~~
20 ~~of the United States and who has been awarded the purple heart and is 50% or more disabled because of an~~
21 ~~injury that has been determined by the department of veterans affairs to be service-connected or who is 100%~~
22 ~~disabled because of an injury that has been determined by the department of veterans affairs to be~~
23 ~~service-connected may, upon presentation to the department of documentation required in subsection (10)(f)(i)~~
24 ~~and proof of the required disability, be issued:~~

25 ~~———(A) a special license plate under this section with the purple heart decal or a design or decal displaying~~
26 ~~the letters "DV"; or~~

27 ~~———(B) one set of any other military-related plates that the 50% or more disabled veteran who has been~~
28 ~~awarded the purple heart or the disabled veteran is eligible to receive under this section.~~

29 ~~———(ii) The fee for original or renewal registration by a 100% disabled veteran for a motor vehicle, as defined~~
30 ~~in 61-4-102, that is not used for commercial purposes is \$5 and is in lieu of all other fees and taxes for that~~

- 1 vehicle under this chapter irrespective of which set of military license plates the veteran is eligible to receive and
2 chooses to display under subsection (10)(c)(i).
- 3 ~~———(iii) The fee for original or renewal registration for a motor vehicle, as defined in 61-1-102, that is not
4 used for commercial purposes by a 50% or more disabled veteran who has been awarded the purple heart and
5 who meets the criteria in subsection (10)(c)(i) is \$5 and is in lieu of other taxes and fees for that vehicle under
6 this chapter, except for the \$10 fee required in subsection (10)(f)(iii), regardless of which set of military license
7 plates the veteran is eligible to receive and chooses to display under subsection (10)(c)(i). Special license plates
8 issued to a 50% or more disabled veteran who has been awarded the purple heart under subsection (10)(c) may
9 be retained by a surviving spouse, subject to payment of all taxes and fees required under parts 3 and 4 of this
10 chapter as provided in subsection (10)(f)(iii).~~
- 11 ~~———(iv) Special license plates issued to a disabled veteran and, except as provided in subsection (10)(c)(iii),
12 to a 50% or more disabled veteran who has been awarded the purple heart are not transferable to another
13 person.~~
- 14 ~~———(v) A 50% or more disabled veteran who has been awarded the purple heart or a disabled veteran is
15 not entitled to a special license plate for more than one vehicle.~~
- 16 ~~———(vi) A vehicle that is lawfully displaying a disabled veteran's plate with a design or decal displaying the
17 letters "DV" and that is conveying a 100% disabled veteran is entitled to the parking privileges allowed a person
18 with a disability's vehicle under this title.~~
- 19 ~~———(d) (i) A Montana resident who is a veteran of the armed forces of the United States and was captured
20 and held prisoner by a military force of a foreign nation, documented by the veteran's service record, may upon
21 application and presentation of proof be issued special license plates, numbered in sets of two with a different
22 number on each set, with a design or decal displaying the words "ex-prisoner of war" or an abbreviation that the
23 department considers appropriate.~~
- 24 ~~———(ii) Fees required under 61-3-321(1) and (6) may not be assessed upon one set of license plates issued
25 to an ex-prisoner of war under this subsection (10)(d).~~
- 26 ~~———(iii) A special license plate fee may not be assessed upon one set of special license plates issued to an
27 ex-prisoner of war under this subsection (10)(d).~~
- 28 ~~———(iv) An ex-prisoner of war is exempt from the registration fees imposed under 61-3-560 through 61-3-562
29 for one vehicle that displays a set of ex-prisoner of war license plates.~~
- 30 ~~———(v) A surviving spouse of an ex-prisoner of war may retain the special license plates that have been~~

1 issued to the ex-prisoner of war if the spouse complies with the provisions of 61-3-457.

2 ~~———(e) Except as provided in subsections (10)(c) and (10)(d), upon payment of all taxes and fees required~~
3 ~~by parts 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the applicant meets~~
4 ~~the requirements of this subsection (10)(e), the department shall issue to a Montana resident who is a veteran~~
5 ~~of the armed services of the United States special license plates, numbered in sets of two with a different~~
6 ~~number on each set, designed to indicate that the applicant is a survivor of the Pearl Harbor attack if the~~
7 ~~applicant was a member of the United States armed forces on December 7, 1941, was on station on December~~
8 ~~7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the island of Oahu, or was~~
9 ~~offshore at a distance of not more than 3 miles, and received an honorable discharge from the United States~~
10 ~~armed forces. If special license plates issued under subsection (10)(d) and this subsection are lost, stolen, or~~
11 ~~mutilated, the recipient of the plates is entitled to replacement plates upon request and without charge.~~

12 ~~———(f) A motor vehicle owner and resident of this state who is a veteran or the surviving spouse of a veteran~~
13 ~~of the armed services of the United States may be issued license plates inscribed as provided in subsection~~
14 ~~(10)(f)(i) if the veteran was separated from the armed services under other than dishonorable circumstances or~~
15 ~~was awarded the purple heart medal:~~

16 ~~———(i) Upon submission of a department of defense form 214(DD-214) or its successor or documents~~
17 ~~showing an other-than-dishonorable discharge or a reenlistment, proper identification, and other relevant~~
18 ~~documents to show an applicant's qualification under this subsection, there must be issued to the applicant, in~~
19 ~~lieu of the regular license plates prescribed by law, special license plates numbered in sets of two with a different~~
20 ~~number on each set. The plates must display:~~

21 ~~———(A) the word "VETERAN" and a symbol signifying the United States army, United States navy, United~~
22 ~~States air force, United States marine corps, or United States coast guard, according to the record of service~~
23 ~~verified in the application; or~~

24 ~~———(B) a symbol representing the purple heart medal.~~

25 ~~———(ii) Plates must be furnished by the department to the county treasurer, who shall issue them to a~~
26 ~~qualified veteran or to the veteran's surviving spouse. The plates must be placed or mounted on the vehicle~~
27 ~~owned by the veteran or the veteran's surviving spouse designated in the application and must be removed upon~~
28 ~~sale or other disposition of the vehicle.~~

29 ~~———(iii) Except as provided for 100% disabled veterans and ex-prisoners of war in subsections (10)(c) and~~
30 ~~(10)(d), a veteran or surviving spouse who receives special license plates under this subsection (10)(f) is liable~~

1 for payment of all taxes and fees required under parts 3 and 4 of this chapter and a special veteran's or purple
2 heart medal license plate fee of \$10.

3 ~~(g)(11)~~ A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon
4 written application on a form prescribed by the department, be issued a special license plate with a design or
5 decal bearing a representation of a wheelchair as the symbol of a person with a disability.

6 ~~(h)~~ The department may issue legion of valor license plates, bearing a design or decal depicting the
7 recognized legion of valor medallion and numbered in sets of two with a different number on each set, to an
8 applicant who presents to the department proper documentation of receipt of a legion of valor award by
9 appropriate authorities to the applicant or the applicant's deceased spouse and who pays all taxes and fees
10 required by parts 3 and 5 of this chapter.

11 ~~_____ (i)~~ An active member of the armed forces of the United States who is a resident of the state or who is
12 stationed outside of Montana may be issued special license plates inscribed as provided in subsection
13 ~~(10)(f)(i)(A)~~. The member's commanding officer may issue a certificate or some other relevant document to show
14 the applicant's qualification and authorizing the issuance of the special license plates in sets of two with a
15 different number on each set. The member is liable for payment of all taxes and fees required by this chapter,
16 except as provided in 61-3-456.

17 ~~(11)(12)~~ The provisions of this section do not apply to a motor vehicle, trailer, or semitrailer that is
18 registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through
19 61-3-733.

20 ~~(12)~~ Fees collected under this section must be deposited in the state general fund. (Terminates July 1,
21 2005--sec. 21, Ch. 402, L. 2001.)

22 **61-3-332. (Effective July 1, 2005) Number plates.** (1) A motor vehicle that is driven upon the streets
23 or highways of Montana must display both front and rear number plates, bearing the distinctive number assigned
24 to the vehicle.

25 (2) In addition to special license plates and collegiate license plates authorized under this chapter, a
26 separate series of number plates must be issued, in the manner specified, for each of the following vehicle or
27 dealer types:

- 28 (a) passenger vehicles, including automobiles, vans, and sport utility vehicles;
29 (b) motorcycles and quadricycles, bearing the letters "MC" or "CYCLE";
30 (c) trucks, bearing the letter "T" or the word "TRUCK";

- 1 (d) trailers, bearing the letters "TR" or the word "TRAILER";
- 2 (e) dealers of new, or new and used, motor vehicles, including trucks and trailers, bearing the letter "D"
- 3 or the word "DEALER";
- 4 (f) dealers of used motor vehicles only, including trucks and trailers, bearing the letters "UD" or the letter
- 5 "U" and the word "DEALER";
- 6 (g) dealers of motorcycles or quadricycles, bearing the letters "MCD" or the letters "MC" and the word
- 7 "DEALER";
- 8 (h) dealers of trailers or semitrailers, bearing the letters "DTR" or the letters "TR" and the word
- 9 "DEALER"; and
- 10 (i) dealers of recreational vehicles, bearing the letters "RV" or the letter "R" and the word "DEALER".
- 11 (3) (a) Except as provided in subsections (4)(c) and (4)(d), all number plates for motor vehicles must
- 12 be issued for a maximum period of 4 years, bear a distinctive marking, and be furnished by the state. In years
- 13 when number plates are not issued, the department shall provide nonremovable stickers bearing appropriate
- 14 registration numbers that must be affixed to the license plates in use.
- 15 (b) For motorcycles, quadricycles, and light vehicles that are permanently registered as provided in
- 16 61-3-527 or 61-3-315 and 61-3-562, the department shall provide distinctive nonremovable stickers indicating
- 17 that the vehicle is permanently registered. The stickers must be affixed to the license plates in use.
- 18 (4) (a) Subject to the provisions of this section, the department shall create a new design for number
- 19 plates as provided in this section, and it shall manufacture the newly designed number plates for issuance after
- 20 December 31, 1999, to replace at renewal, as required in 61-3-312 and 61-3-314, number plates that were
- 21 displayed on motor vehicles before that date.
- 22 (b) Beginning January 1, 2000, the department shall manufacture and issue new number plates every
- 23 4 years.
- 24 (c) A light vehicle that is registered for a 24-month period, as provided in 61-3-315 and 61-3-560, may
- 25 display the number plate and plate design in effect at the time of registration for the entire 24-month registration
- 26 period.
- 27 (d) A motorcycle, quadricycle, or light vehicle that is permanently registered, as provided in 61-3-527
- 28 or 61-3-315 and 61-3-562, may display the number plate and plate design in effect at the time of registration for
- 29 the entire period that the vehicle is permanently registered.
- 30 (5) In the case of passenger vehicles and trucks, plates must be of metal 6 inches wide and 12 inches

1 in length. The outline of the state of Montana must be used as a distinctive border on the license plates, and the
2 word "Montana" and the year must be placed across the plates. Registration plates must be treated with a
3 reflectorized background material according to specifications prescribed by the department.

4 (6) The distinctive registration numbers must begin with a number one or with a letter-number
5 combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers. The distinctive
6 registration number or letter-number combination assigned to the vehicle must appear on the plate preceded
7 by the number of the county and appearing in horizontal order on the same horizontal baseline. The county
8 number must be separated from the distinctive registration number by a separation mark unless a letter-number
9 combination is used. The dimensions of the numerals and letters must be determined by the department, and
10 all county and registration numbers must be of equal height.

11 (7) For the use of exempt motor vehicles and motor vehicles that are exempt from the registration fee
12 as provided in 61-3-560(2)(a), in addition to the markings provided in this section, number plates must bear the
13 following distinctive markings:

14 (a) For vehicles owned by the state, the department may designate the prefix number for the various
15 state departments. All numbered plates issued to state departments must bear the words "State Owned", and
16 a year number may not be indicated on the plates because these numbered plates are of a permanent nature
17 and will be replaced by the department only when the physical condition of numbered plates requires it.

18 (b) For vehicles that are owned by the counties, municipalities, and special districts, as defined in
19 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and operated by
20 officials and employees in the line of duty and for vehicles on loan from the United States government or the
21 state of Montana to, or owned by, the civil air patrol and used and operated by officials and employees in the
22 line of duty, there must be placed on the number plates assigned, in a position that the department may
23 designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for plates assigned to motor
24 vehicles of each of the counties in the state and those of the municipalities and special districts that obtain plates
25 within each county must begin with number one and be numbered consecutively. Because these number plates
26 are of a permanent nature, they are subject to replacement by the department only when the physical condition
27 of the number plates requires it and a year number may not be displayed on the number plates.

28 (8) Number plates issued to a passenger vehicle, truck, trailer, motorcycle, or quadricycle may be
29 transferred only to a replacement passenger vehicle, truck, trailer, motorcycle, or quadricycle. A registration or
30 license fee may not be assessed upon a transfer of a number plate under 61-3-317 and 61-3-335.

1 (9) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:
 2 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;
 3 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;
 4 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;
 5 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;
 6 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;
 7 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,
 8 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must
 9 be assigned numbers by the department as they may be formed, beginning with the number 57.

10 (10) Each type of special license plate approved by the legislature, except collegiate license plates
 11 authorized in 61-3-463, must be a separate series of plates, numbered as provided in subsection (6), except that
 12 the county number must be replaced by a nonremovable design or decal designating the group or organization
 13 to which the applicant belongs. Unless otherwise specifically stated in this section, the special plates are subject
 14 to the same rules and laws as govern the issuance of regular license plates, must be placed or mounted on a
 15 vehicle owned by the person who is eligible to receive them, and must be removed upon sale or other disposition
 16 of the vehicle. ~~The special license plates must be issued to national guard members, former prisoners of war,~~
 17 ~~persons with disabilities, reservists, disabled veterans, survivors of the Pearl Harbor attack, veterans of the~~
 18 ~~armed services, national guard veterans, legion of valor members, or veterans of the armed services who were~~
 19 ~~awarded the purple heart medal, who comply with the following provisions:~~

20 ~~———(a) (i) An active member of the Montana national guard may be issued special license plates with a~~
 21 ~~design or decal displaying the letters "NG". The adjutant general shall issue to each active member of the~~
 22 ~~Montana national guard a certificate authorizing the department to issue national guard plates, numbered in sets~~
 23 ~~of two with a different number on each set, and the member shall surrender the plates to the department upon~~
 24 ~~becoming ineligible to use them.~~

25 ~~———(ii) The department may issue national guard veteran plates, bearing a design or decal displaying the~~
 26 ~~Montana national guard insignia and the words "National Guard veteran" and numbered in sets of two with a~~
 27 ~~different number on each set, to an applicant who presents to the department a copy of certification of national~~
 28 ~~guard retirement eligibility issued by the appropriate authorities for the applicant or the applicant's deceased~~
 29 ~~spouse and who pays, in addition to all taxes and fees required by parts 3 and 5 of this chapter, a national guard~~
 30 ~~veteran license plate fee of \$10. The additional fee must be distributed in accordance with the provisions of~~

1 subsection (12).

2 ~~———— (b) An active member of the reserve armed forces of the United States of America who is a resident~~
3 ~~of this state may be issued special license plates with a design or decal displaying the following: United States~~
4 ~~army reserve, AR (symbol); United States naval reserve, NR (anchor); United States air force reserve, AFR~~
5 ~~(symbol); and United States marine corps reserve, MCR (globe and anchor). The commanding officer of each~~
6 ~~armed forces reserve unit shall issue to each eligible member of the reserve unit a certificate authorizing the~~
7 ~~issuance of special license plates, numbered in sets of two with a different number on each set. The member~~
8 ~~shall surrender the plates to the department upon becoming ineligible to use them.~~

9 ~~———— (c) (i) Subject to the limitation in 61-3-453, a resident of Montana who is a veteran of the armed forces~~
10 ~~of the United States and who has been awarded the purple heart and is 50% or more disabled because of an~~
11 ~~injury that has been determined by the department of veterans affairs to be service-connected or who is 100%~~
12 ~~disabled because of an injury that has been determined by the department of veterans affairs to be~~
13 ~~service-connected may, upon presentation to the department of documentation required in subsection (10)(f)(i)~~
14 ~~and proof of the required disability, be issued:~~

15 ~~———— (A) a special license plate under this section with the purple heart decal or a design or decal displaying~~
16 ~~the letters "DV"; or~~

17 ~~———— (B) one set of any other military-related plates that the 50% or more disabled veteran who has been~~
18 ~~awarded the purple heart or the disabled veteran is eligible to receive under this section.~~

19 ~~———— (ii) The fee for original or renewal registration by a 100% disabled veteran for a motor vehicle, as defined~~
20 ~~in 61-1-102, that is not used for commercial purposes is \$5 and is in lieu of all other fees and taxes for that~~
21 ~~vehicle under this chapter irrespective of which set of military license plates the veteran is eligible to receive and~~
22 ~~chooses to display under subsection (10)(c)(i).~~

23 ~~———— (iii) The fee for original or renewal registration for a motor vehicle, as defined in 61-1-102, that is not~~
24 ~~used for commercial purposes by a 50% or more disabled veteran who has been awarded the purple heart and~~
25 ~~who meets the criteria in subsection (10)(c)(i) is \$5 and is in lieu of other taxes and fees for that vehicle under~~
26 ~~this chapter, except for the \$10 fee required in subsection (10)(f)(iii), regardless of which set of military license~~
27 ~~plates the veteran is eligible to receive and chooses to display under subsection (10)(c)(i). Special license plates~~
28 ~~issued to a 50% or more disabled veteran who has been awarded the purple heart under subsection (10)(c) may~~
29 ~~be retained by a surviving spouse, subject to payment of all taxes and fees required under parts 3 and 4 of this~~
30 ~~chapter as provided in subsection (10)(f)(iii).~~

1 ~~———(iv) Special license plates issued to a disabled veteran and, except as provided in subsection (10)(c)(iii),~~
2 ~~to a 50% or more disabled veteran who has been awarded the purple heart are not transferable to another~~
3 ~~person.~~

4 ~~———(v) A 50% or more disabled veteran who has been awarded the purple heart or a disabled veteran is~~
5 ~~not entitled to a special license plate for more than one vehicle.~~

6 ~~———(vi) A vehicle that is lawfully displaying a disabled veteran's plate with a design or decal displaying the~~
7 ~~letters "DV" and that is conveying a 100% disabled veteran is entitled to the parking privileges allowed a person~~
8 ~~with a disability's vehicle under this title.~~

9 ~~———(d) (i) A Montana resident who is a veteran of the armed forces of the United States and was captured~~
10 ~~and held prisoner by a military force of a foreign nation, documented by the veteran's service record, may upon~~
11 ~~application and presentation of proof be issued special license plates, numbered in sets of two with a different~~
12 ~~number on each set, with a design or decal displaying the words "ex-prisoner of war" or an abbreviation that the~~
13 ~~department considers appropriate.~~

14 ~~———(ii) Fees required under 61-3-321(1) and (6) may not be assessed upon one set of license plates issued~~
15 ~~to an ex-prisoner of war under this subsection (10)(d).~~

16 ~~———(iii) A special license plate fee may not be assessed upon one set of special license plates issued to an~~
17 ~~ex-prisoner of war under this subsection (10)(d).~~

18 ~~———(iv) An ex-prisoner of war is exempt from the registration fees imposed under 61-3-560 through 61-3-562~~
19 ~~for one vehicle that displays a set of ex-prisoner of war license plates.~~

20 ~~———(v) A surviving spouse of an ex-prisoner of war may retain the special license plates that have been~~
21 ~~issued to the ex-prisoner of war if the spouse complies with the provisions of 61-3-457.~~

22 ~~———(e) Except as provided in subsections (10)(c) and (10)(d), upon payment of all taxes and fees required~~
23 ~~by parts 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the applicant meets~~
24 ~~the requirements of this subsection (10)(e), the department shall issue to a Montana resident who is a veteran~~
25 ~~of the armed services of the United States special license plates, numbered in sets of two with a different~~
26 ~~number on each set, designed to indicate that the applicant is a survivor of the Pearl Harbor attack if the~~
27 ~~applicant was a member of the United States armed forces on December 7, 1941, was on station on December~~
28 ~~7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the island of Oahu, or was~~
29 ~~offshore at a distance of not more than 3 miles, and received an honorable discharge from the United States~~
30 ~~armed forces. If special license plates issued under subsection (10)(d) and this subsection are lost, stolen, or~~

1 ~~mutilated, the recipient of the plates is entitled to replacement plates upon request and without charge.~~

2 ~~——— (f) A motor vehicle owner and resident of this state who is a veteran or the surviving spouse of a veteran~~
 3 ~~of the armed services of the United States may be issued license plates inscribed as provided in subsection~~
 4 ~~(10)(f)(i) if the veteran was separated from the armed services under other than dishonorable circumstances or~~
 5 ~~was awarded the purple heart medal:~~

6 ~~——— (i) Upon submission of a department of defense form 214(DD-214) or its successor or documents~~
 7 ~~showing an other than dishonorable discharge or a reenlistment, proper identification, and other relevant~~
 8 ~~documents to show an applicant's qualification under this subsection, there must be issued to the applicant, in~~
 9 ~~lieu of the regular license plates prescribed by law, special license plates numbered in sets of two with a different~~
 10 ~~number on each set. The plates must display:~~

11 ~~——— (A) the word "VETERAN" and a symbol signifying the United States army, United States navy, United~~
 12 ~~States air force, United States marine corps, or United States coast guard, according to the record of service~~
 13 ~~verified in the application; or~~

14 ~~——— (B) a symbol representing the purple heart medal.~~

15 ~~——— (ii) Plates must be furnished by the department to the county treasurer, who shall issue them to a~~
 16 ~~qualified veteran or to the veteran's surviving spouse. The plates must be placed or mounted on the vehicle~~
 17 ~~owned by the veteran or the veteran's surviving spouse designated in the application and must be removed upon~~
 18 ~~sale or other disposition of the vehicle.~~

19 ~~——— (iii) Except as provided for 100% disabled veterans and ex-prisoners of war in subsections (10)(c) and~~
 20 ~~(10)(d), a veteran or surviving spouse who receives special license plates under this subsection (10)(f) is liable~~
 21 ~~for payment of all taxes and fees required under parts 3 and 4 of this chapter and a special veteran's or purple~~
 22 ~~heart medal license plate fee of \$10.~~

23 ~~(g)(11) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon~~
 24 ~~written application on a form prescribed by the department, be issued a special license plate with a design or~~
 25 ~~decal bearing a representation of a wheelchair as the symbol of a person with a disability.~~

26 ~~(h) The department may issue legion of valor license plates, bearing a design or decal depicting the~~
 27 ~~recognized legion of valor medallion and numbered in sets of two with a different number on each set, to an~~
 28 ~~applicant who presents to the department proper documentation of receipt of a legion of valor award by~~
 29 ~~appropriate authorities to the applicant or the applicant's deceased spouse and who pays all taxes and fees~~
 30 ~~required by parts 3 and 5 of this chapter.~~

1 ~~————(i) An active member of the armed forces of the United States who is a resident of the state or who is~~
 2 ~~stationed outside of Montana may be issued special license plates inscribed as provided in subsection~~
 3 ~~(10)(f)(i)(A). The member's commanding officer may issue a certificate or some other relevant document to show~~
 4 ~~the applicant's qualification and authorizing the issuance of the special license plates in sets of two with a~~
 5 ~~different number on each set. The member is liable for payment of all taxes and fees required by this chapter,~~
 6 ~~except as provided in 61-3-456.~~

7 ~~(11)(12) The provisions of this section do not apply to a motor vehicle, trailer, or semitrailer that is~~
 8 ~~registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through~~
 9 ~~61-3-733.~~

10 ~~(12) Fees collected under this section must be deposited in the state general fund."~~
 11

12 **Section 13.** Section 61-3-407, MCA, is amended to read:

13 **"61-3-407. (Temporary) Personalized veterans', national guard veterans', legion of valor**
 14 **members', special veteran and generic specialty license plates.** ~~(1)~~ Subject to the provisions of 61-3-405
 15 and 61-3-406, an application for veterans', national guard veterans', legion of valor members', or generic
 16 specialty license plates under 61-3-332(10)(a)(ii), (10)(f), or (10)(h) or special veteran license plates under
 17 [section 1(3)] or generic specialty license plates under 61-3-472 through 61-3-481 may be combined with an
 18 application for personalized plates.

19 ~~(2) An The application for personalized veterans', national guard veterans', legion of valor members',~~
 20 ~~or generic specialty license plates must be made on a form supplied by the department. (Terminates June 30,~~
 21 ~~2005--sec. 21, Ch. 402, L. 2001.)~~

22 **61-3-407. (Effective July 1, 2005) Personalized veterans', national guard veterans', or legion of**
 23 **valor members' special veteran license plates.** ~~(1)~~ Subject to the provisions of 61-3-405 and 61-3-406, an
 24 application for veterans', national guard veterans', or legion of valor members' special veteran license plates
 25 under 61-3-332(10)(a)(ii), (10)(f), or (10)(h) [section 1(3)] may be combined with an application for personalized
 26 plates.

27 ~~————(2) An The application for personalized veterans', national guard veterans', or legion of valor members'~~
 28 ~~license plates must be made on a form supplied by the department."~~

29

30 **Section 14.** Section 61-3-426, MCA, is amended to read:

1 **"61-3-426. Combined license plates.** (1) An application for license plates for amateur radio operators
 2 may be combined with an application for the special license plates issued to veterans of the armed services who
 3 comply with the provisions in 61-3-332(10)(d), (10)(e), and (10)(f) under [section 1(3)] or with an application for
 4 special license plates issued to a person with a disability who complies with the provisions in 61-3-332(10)(g)
 5 61-3-332(11).

6 (2) ~~The applicant for the issuance of combined license plates is liable for the payment of all taxes and~~
 7 ~~fees applicable to regular motor vehicle license plates and shall pay an additional fee of \$5 for the original~~
 8 ~~issuance as provided in subject to 61-3-422.~~

9 (2) ~~An application for license plates for amateur radio operators may be combined with an application~~
 10 ~~for license plates for disabled veterans as provided in 61-3-332(10)(e). The fees for the registration of the~~
 11 ~~combined license plates are the fees provided for in 61-3-332(10)(e) and in 61-3-422. The fees are in lieu of all~~
 12 ~~other fees and taxes for that vehicle under this chapter.~~

13 ~~————(3) An application for license plates for amateur radio operators may be combined with an application~~
 14 ~~for license plates for ex-prisoners of war as provided in 61-3-332(10)(d). The fees required under 61-3-321(1)~~
 15 ~~and (6) may not be assessed upon one set of combination license plates issued to an ex-prisoner of war. An~~
 16 ~~ex-prisoner of war receiving combination license plates under this section is liable for the fees required under~~
 17 ~~61-3-422.~~

18 ~~————(4)(3) The combined license plates must be stamped with the official amateur radio call letters of the~~
 19 ~~owner as assigned to the owner by the federal communications commission. The plates must also be stamped~~
 20 ~~with the design or decal provided for in 61-3-332(10)(c), (10)(d), (10)(e), (10)(f), or (10)(g) [section 1(3)] or~~
 21 ~~61-3-332(11)."~~

22

23 **Section 15.** Section 61-3-455, MCA, is amended to read:

24 **"61-3-455. Violation a misdemeanor.** A person who violates ~~61-3-452 or 61-3-453~~ [section 1] or
 25 [section 3] or who knowingly and wrongfully attempts to secure license plates under 61-3-332, [section 1], or
 26 [section 3] ~~shall be~~ is guilty of a misdemeanor and shall be punished by a fine of not less than \$100 or
 27 imprisonment for not more than 30 days, or both."

28

29 **Section 16.** Section 61-3-560, MCA, is amended to read:

30 **"61-3-560. Light vehicle registration fee -- exemptions -- 24-month registration.** (1) Except as

1 provided in subsections (2) and (3), there is a registration fee imposed on light vehicles. The registration fee is
 2 in addition to other annual registration fees.

3 (2) The following vehicles are exempt from the fee imposed in subsection (1):

4 (a) light vehicles that meet the description of property exempt from taxation under 15-6-201(1)(a), (1)(c)
 5 through (1)(e), (1)(g), (1)(m), (1)(o), (1)(q), or (1)(w), 15-6-203, or 15-6-215, except as provided in 61-3-520;

6 (b) a light vehicle owned by a ~~100% disabled veteran or by a 50% or more disabled veteran who has~~
 7 ~~been awarded the purple heart qualifying for one set of special license plates under 61-3-332(10)(c) or 61-3-426~~
 8 person eligible for a waiver of registration fees under [section 3];

9 ~~—— (c) a light vehicle owned by an ex-prisoner of war qualifying for one set of special plates under~~
 10 ~~61-3-332(10)(d) or a surviving spouse of an ex-prisoner of war under 61-3-457; and~~

11 ~~—— (d)(c) a light vehicle registered under 61-3-456.~~

12 (3) A dealer for light vehicles is not required to pay the registration fee for light vehicles that constitute
 13 inventory of the dealership and that are reported under 61-3-501.

14 (4) The owner of a light vehicle subject to the provisions of 61-3-313 through 61-3-316 may register the
 15 light vehicle for a period not to exceed 24 months. The application for registration or reregistration must be
 16 accompanied by the registration fee and all other fees required in this chapter for each 12-month period of the
 17 24-month period. However, the registration fees required under 61-3-321(1)(a) or (1)(b) paid at the time of
 18 registration or reregistration apply for the entire 24-month registration period."

19
 20 NEW SECTION. Section 17. Repealer. Sections 61-3-452, 61-3-453, 61-3-454, and 61-3-457, MCA,
 21 are repealed.

22
 23 NEW SECTION. Section 18. Codification instruction. [Sections 1 through 3] are intended to be
 24 codified as an integral part of Title 61, chapter 3, part 4, and the provisions of Title 61, chapter 3, part 4, apply
 25 to [sections 1 through 3].

26
 27 NEW SECTION. SECTION 19. COORDINATION INSTRUCTION. (1) IF HOUSE BILL NO. 250 AND [THIS ACT] ARE
 28 BOTH PASSED AND APPROVED, THEN HOUSE BILL NO. 250 IS VOID.

29 (2) IF SENATE BILL NO. 377 AND [THIS ACT] ARE BOTH PASSED AND APPROVED, THEN SENATE BILL NO. 377 IS
 30 VOID.

1

2 NEW SECTION. **Section 20. Effective date.** [This act] is effective January 1, 2004.

3

- END -